



April 4, 2003

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## ENGROSSED HOUSE BILL No. 1525

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DIGEST OF HB 1525 (Updated April 1, 2003 2:47 PM - DI 106)

**Citations Affected:** IC 35-46; noncode.

**Synopsis:** Contributing to delinquency. Makes contributing to delinquency a Class C felony instead of a Class A misdemeanor if the person furnishes alcohol or a controlled substance to a minor and consumption of the alcohol or drug is the proximate cause of the death of any person.

**Effective:** July 1, 2003.

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### Kuzman, Koch

(SENATE SPONSORS — LANDSKE, ANTICH)

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January 16, 2003, read first time and referred to Committee on Courts and Criminal Code.  
February 25, 2003, reported — Do Pass.  
March 3, 2003, read second time, ordered engrossed. Engrossed.  
March 4, 2003, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

March 13, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.  
April 3, 2003, amended, reported favorably — Do Pass.

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EH 1525—LS 6620/DI 69+



April 4, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1525

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 35-46-1-8 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) A person **at least**  
3       eighteen (18) years of age ~~or older~~ who knowingly or intentionally  
4       encourages, aids, induces, or causes a person ~~under~~ **less than** eighteen  
5       (18) years of age to commit an act of delinquency (as defined by  
6       IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a  
7       Class A misdemeanor.

8       (b) However, ~~the~~ **an offense described in subsection (a)** is a Class  
9       C felony if:

10       (1) **the person knowingly or intentionally:**

11       (A) **furnishes:**

12       (i) **an alcoholic beverage to a person less than eighteen**  
13       **(18) years of age in violation of IC 7.1-5-7-8 when the**  
14       **person knew or reasonably should have known that the**  
15       **person was less than eighteen (18) years of age; or**

16       (ii) **a controlled substance (as defined under**  
17       **IC 35-48-1-9) or a drug (as defined under IC 9-13-2-49.1)**

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1           in violation of Indiana law; and  
 2           **(B) consumption, ingestion, or use of the alcoholic**  
 3           **beverage, controlled substance, or drug is the proximate**  
 4           **cause of the death of any person; or**  
 5           **(2) the person at least eighteen (18) years of age** knowingly or  
 6           intentionally encourages, aids, induces, or causes a person less  
 7           than eighteen (18) years of age to commit an act that would be a  
 8           felony if committed by an adult under **any of the following:**  
 9            ~~(1)~~ **(A)** IC 35-48-4-1.  
 10          ~~(2)~~ **(B)** IC 35-48-4-2.  
 11          ~~(3)~~ **(C)** IC 35-48-4-3.  
 12          ~~(4)~~ **(D)** IC 35-48-4-4.  
 13          ~~(5)~~ **(E)** IC 35-48-4-4.5.  
 14          ~~(6)~~ **(F)** IC 35-48-4-4.6. ~~or~~  
 15          ~~(7)~~ **(G)** IC 35-48-4-5.  
 16       SECTION 2. [EFFECTIVE JULY 1, 2003] IC 35-46-1-8, as  
 17       amended by this act, applies only to offenses committed after June  
 18       30, 2003.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1525, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

WEINZAPFEL, Chair

Committee Vote: yeas 8, nays 0.

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EH 1525—LS 6620/DI 69+



## COMMITTEE REPORT

Mr. President: The Senate Committee on Criminal, Civil and Public Policy, to which was referred House Bill No. 1525, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 10, delete "it results in the death of the person less than eighteen (18)" and insert "**the person knowingly or intentionally:**

**(A) furnishes:**

**(i) an alcoholic beverage to a person less than eighteen (18) years of age in violation of IC 7.1-5-7-8 when the person knew or reasonably should have known that the person was less than eighteen (18) years of age; or**

**(ii) a controlled substance (as defined under IC 35-48-1-9) or a drug (as defined under IC 9-13-2-49.1) in violation of Indiana law; and**

**(B) consumption, ingestion, or use of the alcoholic beverage, controlled substance, or drug is the proximate cause of the death of any person; or".**

Page 1, delete line 11.

and when so amended that said bill do pass.

(Reference is to HB 1525 as printed February 26, 2003.)

LONG, Chairperson

Committee Vote: Yeas 5, Nays 4.

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